

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

JEFFREY SMITH

Plaintiff

vs.

CASE NUMBER: 3:13-CV-11 (TWD)

COMMISSIONER OF SOCIAL SECURITY

Defendant

Decision by Court. This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the final decision of the Commissioner be and hereby is REVERSED. The matter is REMANDED to the Defendant for this further administrative action. It is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

All of the above pursuant to the order of the Honorable Judge Therese Wiley Dancks, dated the 5th day of August, 2013.

DATED: August 5, 2013


Clerk of Court

By: s/ Nicole Killius

Deputy Clerk